

Court of Appeals, State of Michigan

ORDER

In re Wayne Circuit Judge

Docket No. 290971

LC No. 07-023972

Michael J. Talbot
Presiding Judge

Karen Fort Hood

Cynthia Diane Stephens
Judges

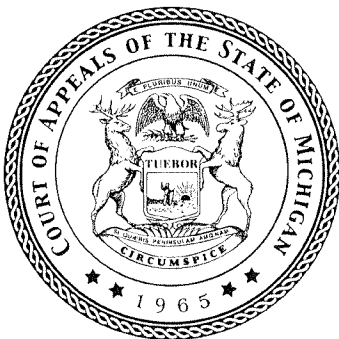
The Court orders that the April 14, 2009, order is VACATED to the extent that it held the complaint in abeyance.

The Court has reviewed the circuit court's specific reasons for its decision to close the post-conviction proceedings to the media and the public, including the victim's family. See MCR 8.116(D). The trial court has failed to articulate any valid reason for closing the proceeding to the public. Consequently, the circuit court is directed to conduct future court proceedings in open court.

Additionally, although the circuit court failed to provide specific reasons for its directive to the court reporter forbidding the transcription of the hearing, the Court rules that such a prohibition was without basis. The circuit court thus is directed to permit the transcription of the hearing. Should the circuit court wish to prohibit the parties from discussing the case with the media, it may enter the appropriate written order.

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 29 2009

Date

Sandra Schultz Mengel
Chief Clerk